

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE

UNITED STATES OF AMERICA)	
)	
)	
v.)	No. 3:07-CR-126
)	(Phillips / Shirley)
MITCHELL COZART)	
)	

MEMORANDUM AND ORDER

All pretrial motions in this case have been referred to the undersigned pursuant to 28 U.S.C. § 636(b) for disposition or report and recommendation regarding disposition by the District Court as may be appropriate. This matter is before the Court upon Mitchell Cozart's Withdrawal of Pending Motions [Doc. 136]. Defendant Cozart states that the parties anticipate a resolution of the case without litigation of the pending motions.

The Court finds good cause has been shown for withdrawal of the motions and the request made in the Withdrawal of Pending Motions [Doc. 136] is GRANTED. All pending pretrial motions are denied as moot, without prejudice to re-file should the posture of the case change.

Accordingly, it is Ordered:

1. Withdrawal of Pending Motions [**Doc. 136**] is **GRANTED**.
2. Motion for Severance of Counts [**Doc. 93**] is **DENIED** as moot.
3. Motion for Disclosure of Informant [**Doc. 95**] is **DENIED** as moot.
4. Motion for the Scheduling of a Pretrial Date Upon Which Rule 17(c) Subpoenas May be Returned [**Doc. 97**] is **DENIED** as moot.
5. Motion to Suppress Evidence [**Doc. 98**] is **DENIED** as moot.
6. Motion to Compel Disclosure of Non-Jencks Exculpatory Evidence

[Doc. 100] is **DENIED** as moot.

7. Motion for Additional Separate Peremptory Challenges **[Doc. 102]** is **DENIED** as moot.

8. Motion to Dismiss Count 5 of the Second Superseding Indictment Due to Lack of Interstate Commerce Jurisdiction Nexus **[Doc. 104]** is **DENIED** as moot.

IT IS SO ORDERED.

ENTER:

s/C. Clifford Shirley, Jr.
United States Magistrate Judge